

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F041575 In re Eduardo Z., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041575 In re Eduardo Z., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042283 Robert P. Smith III v. California Department of Corrections et al.

Let a peremptory writ of mandate issue directing the Clerk of the Kings County Superior Court to file the notice of appeal received on October 28, 2002, in Kings County Superior Court action No. 7241 and treat it as timely filed. The clerk shall thereafter prepare the record on appeal in accordance with the applicable rule of the California Rules of Court.

The Court Administrator/Clerk of this court is directed to transmit to the Clerk of the Kings County Superior Court, a copy of the following materials from case No. F042283: (1) the petition filed on January 24, 2003; (2) this court's order of March 7, 2003; and (3) the respondent's brief filed on March 21, 2003.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]